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FILED
2008 MAY 14 PM 3:47
CLERK US DIST. COURT
SOUTHERN DISTRICT OF CALIFORNIA
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AMERICAN TOWER CORPORATION

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY FAX

AMERICAN TOWER CORPORATION, A DELAWARE CORPORATION, Plaintiff, vs. THE CITY OF SAN DIEGO, CALIFORNIA, A POLITICAL SUBDIVISION OF THE STATE OF CALIFORNIA Defendants.	Case No. '08 CV 0864 JM WMc NOTICE OF RELATED CASES

Pursuant to Local Rule 40.1(e) plaintiff hereby makes notification that Case No. 07cv0399 LAB (NLS), *American Tower Company v. City of San Diego, et al.* ("ATC v. San Diego I"), before the Honorable Larry A. Burns, originally filed on or about March 2, 2007, as well as 08cv435 LAB (NLS), *American Tower Company v. City of San Diego, et al.* ("ATC v. San Diego II"), originally filed on March 7, 2008, were previously filed in the Southern District

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of California and shares the same parties and similar questions of law and fact as the above-entitled lawsuit.

In *ATC v. San Diego I,* Plaintiff American Tower Company seeks redress to remedy San Diego's violation of federal and state laws in the adoption and administration of the its Communication Antenna Regulations of the Land Development Code and its denials of multiple ATC Conditional Use Permit applications.

In *ATC v. San Diego II,* Plaintiff American Tower Company seeks redress to remedy San Diego's February, 2008 denials of ATC's Conditional Use Permit applications for wireless communication facilities located in the vicinity of 4350 Otay Mesa and 9060 Friars Road in San Diego. Under the "Low Number Rule," *ATC v. San Diego II* was transferred to the Hon. Larry A. Burns on or about April 2, 2008.

In the instant case, Plaintiff American Tower Company seeks redress to remedy San Diego's April 14, 2008 denial of ATC's Conditional Use Permit application for a wireless communication facility located in the vicinity of 30th Place and Mt. Ada in San Diego.

Respectfully submitted

Dated: May 13, 2008

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